

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

STEVEN M. JACOBS,)	
)	CASE NO. 5:21CV2332
Petitioner,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
JAY FORSHEY, Warden,)	
)	<u>MEMORANDUM OF OPINION</u>
Respondent.)	<u>AND ORDER</u>

Petitioner Steven M. Jacobs filed a Petition for a Writ of Habeas Corpus pursuant to [28 U.S.C. § 2254](#) ([ECF No. 1](#)) alleging four (4) grounds for relief which challenge the constitutional sufficiency of his convictions and sentences in Stark County, Ohio Court of Common Pleas Case No. [2016CR1431](#). Petitioner was found guilty of one count of failure to comply with an order or signal of a police officer and one count of rape of a mentally impaired female following pleas of guilty. He was sentenced to 24 months in prison on the failure to comply charge and four (4) consecutive years in prison on the rape charge. The case was referred to Magistrate Judge Jonathan D. Greenberg for preparation of a report and recommendation pursuant to [28 U.S.C. § 636](#) and [Local Rule 72.2\(b\)\(2\)](#). On July 25, 2023, the magistrate judge issued a Report & Recommendation ([ECF No. 15](#)). In his Report, the magistrate judge recommends that the Court dismiss the habeas petition because the claims are time-barred.

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a report and recommendation must be filed within 14 days after service. Objections to the Report were, therefore, due on August 11,

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2023.¹ Neither party has timely filed objections. Therefore, the Court must assume that the parties are satisfied with the magistrate judge's recommendations. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Report & Recommendation of the magistrate judge is hereby adopted. Steven M. Jacobs' Petition for a Writ of Habeas Corpus will be dismissed.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

August 17, 2023
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge

¹ Under Fed. R. Civ. P. 6(d), three (3) days must be added to the 14-day time period because Petitioner was served a copy of the Report by mail. See Thompson v. Chandler, 36 Fed.Appx. 783, 784 (6th Cir. 2002). The Court has accounted for those three days, as well as additional time for any mailed objection to reach the Court, before issuing this Order.